

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ASSOCIATION OF CITIZENS TO)	
PROTECT AND PRESERVE THE)	
ENVIRONMENT OF THE)	
OAK GROVE COMMUNITY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.: 2:07-CV-378-MEF
)	
UNITED STATES FEDERAL)	
AVIATION ADMINISTRATION,)	
RANS BLACK, KEAFUR GRIMES,)	
et al.)	
)	
Defendants.)	

**UNITED STATES FEDERAL AVIATION ADMINISTRATION'S
UNOPPOSED MOTION FOR ENLARGEMENT OF TIME IN WHICH TO
ANSWER OR OTHERWISE RESPOND**

COMES NOW the United States Federal Aviation Administration (FAA) and any named individual federal defendants, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and pursuant to Fed. R. Civ. P. 6 (b), requests that their time to respond to the complaint be enlarged for a period of 30 days, to and including, August 8, 2007, and as good cause therefore states as follows:

1. The complaint in this matter was filed on or about May 3, 2007, and served upon the United States Attorney for the Middle District of Alabama on or about May 8, 2007. The answer is presently scheduled to be filed on or before Monday, July 9, 2007.

2. Undersigned counsel received the litigation report from the FAA on Friday, June 29, 2007. The agency's litigation report is essential in order to prepare an answer or other response. The United States Attorney's Office does not have access to the facts and information necessary to prepare a response to a newly-filed lawsuit other than through the agency's litigation report.

3. This week, the United States Attorney's Office is moving from its present location at One Court Square to its new building on Clayton Street. Files, computers, law books, and other essentials are being packed for the move. The move is very disruptive and will interfere with completing work during the week.

4. Wednesday, July Fourth is Independence Day.

5. Undersigned counsel was on vacation the week of June 18-22 and in Washington, D.C., for meetings at the Department of Justice June 25-28.

6. The FAA intends to file a dispositive motion asserting that this Court lacks subject-matter jurisdiction over plaintiff's claims. This motion is based upon 49 U.S.C. § 46110 which grants the Courts of Appeal exclusive jurisdiction to review most FAA orders. Undersigned counsel requires the requested additional time to adequately prepare the dispositive motion.

7. Counsel for Plaintiff has been contacted regarding this request and does not object to this 30-day extension. Plaintiff's counsel did express that he is attempting to stop FAA action and does consider time to be of the essence.

WHEREFORE, for the reasons set forth above and for good cause shown, defendant FAA respectfully requests a 30-day enlargement of time, to and including August 8, 2007, in which to file its response.

Respectfully submitted this 2nd day of July, 2007.

LEURA G. CANARY
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Benjamin Max Bowden, Esquire.

/s/Stephen M. Doyle
Assistant United States Attorney